D.B. HABEAS CORPUS PETITION NO. 3619/2006
(Sanjay Nath Vs. The State of Rajasthan & Ors.)

DATE OF ORDER : 17.07.2006

HON'BLE MR. JUSTICE N.N.MATHUR
HON'BLE MR. JUSTICE R.P.VYAS

Mr. Rakesh Arora for the petitioner.

The instant Habeas Corpus petition has been filed by Sanjay Nath seeking direction for the production of his wife Smt. Asha. It is averred that his wife has developed friendly relations with respondent No.4. It is also averred that she has been enticed by the respondent No.4. A compliant has already been filed in the court of Additional Chief Judicial Magistrate, Nagaur, who has forwarded the complainant to the Police Station, Nagaur under Section 156(3) Cr.P.C. From the averments made in the writ petition itself, it does not appear that Asha has been unlawfully detained by the respondent No.4. Thus, the Habeas Corpus petition cannot be entertained.

Accordingly, the Habeas Corpus petition stands dismissed without prejudice to the rights and contentions of the respective parties before the appropriate forum.

(R.P.VYAS),J. **(N.N.MATHUR),J.**

msr